

# SENATE BILL 245

R6

(0lr0750)

## ENROLLED BILL

— *Judicial Proceedings/Environmental Matters* —

Introduced by **Senator Simonaire**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~School Bus Seat Belt Corrective Language Act~~

3 ***Vehicle Laws – School Buses and Former School Buses – Seat Belts***

4 FOR the purpose of clarifying that a certain type of school vehicle used by certain  
5 schools, camps, day nurseries, or day care centers to transport children is not  
6 required to be equipped with seat belts and is not subject to certain regulations;  
7 establishing that a motor vehicle that formerly was registered as a certain type  
8 of school vehicle is not required to be equipped with seat belts and is not subject  
9 to certain regulations if it is used by certain schools, camps, day nurseries, or  
10 day care centers to transport children; and generally relating to seat belts on  
11 school buses.

12 BY repealing and reenacting, without amendments,

13 Article – Transportation

14 Section 11–154 and 11–173

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland  
2 (2009 Replacement Volume and 2009 Supplement)

3 BY repealing and reenacting, with amendments,  
4 Article – Transportation  
5 Section 22–412.1  
6 Annotated Code of Maryland  
7 (2009 Replacement Volume and 2009 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article – Transportation**

11 11–154.

12 (a) “School vehicle” means, except as provided in subsection (b) of this  
13 section, any motor vehicle that:

14 (1) Is used regularly for the exclusive transportation of children,  
15 students, or teachers for educational purposes or in connection with a school activity;  
16 and

17 (2) Is either:

18 (i) A Type I school vehicle, as defined in this subtitle; or

19 (ii) A Type II school vehicle, as defined in this subtitle.

20 (b) “School vehicle” does not include:

21 (1) A privately owned vehicle while it is carrying members of its  
22 owner’s household and not operated for compensation; or

23 (2) A vehicle that is registered as a Class M (multipurpose) vehicle  
24 under § 13–937 of this article or a Class A (passenger) vehicle under § 13–912 of this  
25 article and used to transport children between one or more schools or licensed child  
26 care centers or to and from designated areas that are approved by the Administration  
27 if:

28 (i) The vehicle is designed for carrying 15 persons or less,  
29 including the driver;

30 (ii) The children are permitted to embark or exit the vehicle  
31 only at a school or child care center or a designated area approved by the  
32 Administration;

1 (iii) The owner has obtained vehicle liability insurance or other  
2 security as required by Title 17 of this article; and

3 (iv) The vehicle is equipped with proper seat belts or safety seats  
4 so as to permit each child to be secured in a seat belt or a safety seat as required by §§  
5 22–412.2 and 22–412.3 of this article.

6 11–173.

7 (a) “Type I school vehicle” means a school vehicle that:

8 (1) Is designed and constructed to carry passengers;

9 (2) Is either of the body–on–chassis type construction or integral type  
10 construction; and

11 (3) Has a gross vehicle weight of more than 15,000 pounds and  
12 provides a minimum of 13 inches of seating space per passenger.

13 (b) “Type I school vehicle” does not include any bus operated by a common  
14 carrier under the jurisdiction of a State, regional, or federal regulatory agency or  
15 operated by the agency itself.

16 22–412.1.

17 Every motor vehicle that is used by nursery schools, camps, day nurseries, or  
18 day care centers for children with an intellectual disability to transport children [and  
19 that is not regulated as a “school bus” under this article,] shall be equipped with seat  
20 belts for each seat and shall be subject to any other regulations adopted by the  
21 Administration, **UNLESS THE MOTOR VEHICLE:**

22 **(1) IS A TYPE I SCHOOL VEHICLE; OR**

23 **(2) WAS FORMERLY REGISTERED AS A TYPE I SCHOOL VEHICLE.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2010.